

EXHIBIT D

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

THE CITY OF NEW YORK,

Plaintiff,

-against-

CIGARETTES UNLIMITED, L.C., *et al.*,

Defendants.

Case No. 19-cv-3998(ILG)(RLM)

EXHIBIT E

STIPULATION OF DISCONTINUANCE

Pursuant to **Federal Rule of Civil Procedure 41(a)(1)(A)(ii)**, Plaintiff the City of New York and Defendants John Lash and Stephen Riley hereby stipulate to dismiss this action, with prejudice, pursuant to the parties' settlement agreement executed in connection with this matter.

Dated:

Respectfully Submitted,

/s/ Eric Proshansky
THE CITY OF NEW YORK
Eric Proshansky
Assistant Corporation Counsel
New York City Law Department
100 Church Street
New York, New York 10007
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Counsel for Plaintiff

/s/Justin Sher
SHER TREMONTE LLP
Justin Sher
Alexandra G. Elenowitz-Hess
90 Broad Street, 23rd Floor
New York, New York 10004
jsher@shertremonte.com

Counsel for Defendants

So ordered.

 /s/ I. Leo Glasser

10/27/2020

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

THE CITY OF NEW YORK,

Plaintiff,

-against-

CIGARETTES UNLIMITED, L.C., *et al.*,

Defendants.

Case No. 19-cv-3998(ILG)(RLM)

EXHIBIT D

STIPULATION OF DISCONTINUANCE

Pursuant to **Federal Rule of Civil Procedure 41(a)(1)(A)(ii)**, Plaintiff the City of New York and Defendants Paula Sloan, and Candice Fox hereby stipulate to dismiss this action, with prejudice, pursuant to the parties' settlement agreement executed in connection with this matter.

Dated:

Respectfully Submitted,

/s/ Eric Proshansky
THE CITY OF NEW YORK
Eric Proshansky
Assistant Corporation Counsel
New York City Law Department
100 Church Street
New York, New York 10007
eproshan@law.nyc.gov

Counsel for Plaintiff

/s/Justin Sher
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90 Broad Street, 23rd Floor
New York, New York 10004
jsher@shertremonte.com

Counsel for Defendants

So ordered.

____/s/ I. Leo Glasser____

10/27/2020

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

THE CITY OF NEW YORK,

19-CV-3998 (ILG) (RLM)

Plaintiffs,

- against -

**CIGARETTES UNLIMITED, L.C., JOHN
A. LASH, III, ANITA LASH, STEPHEN
DABNEY RILEY, SHANA L. BILLER,
MARY RILEY, MARGARET L. CLARK,
CANDICE S. FOX, MONIQUE PEARSON,
JULIUS PETERS-BRANDON, JOANNA S.
PETTIES, PAULA K. SLOAN, DERRICK
L. WHITING, JESSICA WHITEHEAD,
ELIZABETH R. WINDHAM, DEBRA A.
ANTICO, JOSEPH N. ANTICO, THOMAS
GUGLIELMO, MERYLE MCGOWAN,
ROBERT A. SCHMIDT, RAZIK K.
SHARKI, and John or Jane Doe 1-30,**

Defendants.

ORDER OF DISMISSAL

IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

Pursuant to **Federal Rule of Civil Procedure 41(a)(2)** defendants Debra A Antico, Joseph N. Antico, Meryle McGowan, Robert A. Schmidt and Razik K. Sharki are dismissed from this action, with prejudice.

SO ORDERED:

/s/ I. Leo Glasser

Hon. I. Leo Glasser
United States District Judge

Dated: October 27, 2020